

**REMARKS**

Claims 1-3, 5-7, 9-18, 20, 21, 23-33 and 35-49 are pending in the application, with claims 1, 9, 20, 25, 33, 43, 45 and 47 being the independent claims. Claims 4, 8, 19, 22 and 34 are sought to be canceled without prejudice or disclaimer. Claims 1-3, 5, 7, 9-18, 20, 23-25, 28, 29, 33, 35, 44 and 46 are sought to be amended. Entry and consideration of this amendment is respectfully requested. No new matter is believed to have been introduced by this amendment.

Applicants have made the above Amendment to more particularly point out and distinctly claim the subject matter which Applicants regard as the invention. Based on the above Amendment and the following Remarks, Applicants respectfully request that the Examiner reconsider and withdraw all outstanding rejections.

***Rejections under 35 U.S.C. § 102(b) and 35 U.S.C. § 103(a)***

Claims 1-13, 19-22 and 33-49 are rejected under 35 U.S.C. § 102(b) as being allegedly unpatentable over the ATVEF specification. Claims 25-32 are rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over the U.S. Patent Application 2002/0059644 (hereinafter referred to as Andrade) in view of the ATVEF specification. Claims 14, 23 and 24 are rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over the ATVEF specification. Claims 15-18 are rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over the ATVEF specification in view of U.S. Patent Application 2002/0007493 (hereinafter referred to as Butler). Claims 4, 8, 19, 22 and 34 have been canceled rendering the rejections to these claims moot. Applicant respectfully traverses the rejections to pending

claims 1-3, 5-7, 9-18, 20, 21, 23-33 and 35-49 since the ATVEF specification, Andrade and Butler, either taken alone or in combination, do not teach or suggest each element of amended independent claims 1, 9, 20, 25, 33, 43, 45 and 47 (and thus their dependent claims 2, 3, 5-7, 10-19, 21, 23, 24, 26-32, 35-42, 44, 46, 48 and 49) for at least the following reasons.

Independent claims 1, 9, 20, 25, 33, 43, 45 and 47 have been amended to include a similar feature of sending to the receiver a second announcement to preempt the first content item of the first announcement with a second content item of the second announcement, where the second non-identifying information of the second announcement is different from the first non-identifying information of the first announcement and where the second version identifier of the second announcement being greater than the first version identifier of the first announcement to cause the receiver to preempt the first content item for the second content item. The ATVEF specification, Andrade and/or Butler, either taken alone or in combination, do not appear to teach or suggest this feature. Therefore, for at least this reason, independent claims 1, 9, 20, 25, 33, 43, 45 and 47 (and their dependent claims 2, 3, 5-7, 10-18, 21, 23, 24, 26-32, 35-42, 44, 46, 48 and 49) are patentable over the ATVEF specification, Andrade and/or Butler, either taken alone or in combination. Accordingly, Applicant requests that the rejections under 35 U.S.C. § 102(b) and 35 U.S.C. § 103(a) be reconsidered and withdrawn.

### **INVITATION FOR A TELEPHONE INTERVIEW**

The Examiner is invited to call the undersigned, Molly A. McCall, at (703) 633-3311 if there remains any issue with allowance of the case.

**CONCLUSION**

Applicants respectfully submit that all of the stated grounds of rejection have been properly traversed accommodated or rendered moot. Applicants believe that a full and complete response has been made to the outstanding Office Action. Thus, Applicants believe that the present application is in condition for allowance, and as such, Applicants respectfully request reconsideration and withdrawal of the outstanding rejections, and allowance of this application.

Respectfully submitted,

Intel Corporation

Dated: 6-20-05

Molly A. McCall  
/Molly A. McCall/ Reg. No. 46,126  
(703) 633-3311

P10025 Reply to Nonfinal OA

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313 on:

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